



30 AUG 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Carl Forest  
Patton Boggs  
P.O. Box 270930  
Louisville, CO 80027

In re Application of  
RUMP, Niels, et al.  
Application No.: 09/913,690  
PCT No.: PCT/EP99/09980  
Int. Filing Date: 15 December 1999  
Priority Date: 16 February 1999  
Attorney Docket No.: 13189.138

For: METHOD AND APPARATUS FOR  
GENERATING A DATA STREAM AND  
METHOD AND DEVICE FOR PLAYING  
A DATA STREAM

NOTIFICATION

This is a notification in response to applicants' "Request For Reconsideration," filed in the United States Patent and Trademark Office (USPTO) on 23 August 2002.

**BACKGROUND**

On 15 December 1999, applicants filed international application PCT/EP99/09980, which claimed a priority date of 16 February 1999. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 24 August 2000. A Demand for international preliminary examination, in which the United States was elected, was filed on 13 September 2000, within nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 16 August 2001.

On 16 August 2001, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 19 October 2001, the USPTO mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of oath or declaration were required.

On 24 January 2002, applicants submitted a petition under 37 CFR 1.47, which was accompanied by, *inter alia*, a combined declaration and power of attorney executed by inventors Juergen Koller and Karlheinz Brandenburg.

On 08 April 2002, the Office mailed Decision On Petition Under 37 CFR 1.47(a) dismissing applicants' petition without prejudice.

On 14 June 2002, applicants submitted the "Request for Reconsideration," accompanied by a declaration signed by Niels Rump.

On 23 July 2002, the Office mailed Notification of a Defective Response indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required.

On 23 August 2002, applicants submitted the instant "Request for Reconsideration," accompanied by a declaration signed by Niels Rump.

#### DISCUSSION

The declaration of Niels Rump submitted on 23 August 2002 complies with 37 CFR 1.497(a)-(b).

#### CONCLUSION

The application has an international filing date of 15 December 1999 under 35 U.S.C. §363 and a date of 23 August 2002 under 35 U.S.C. §371. This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing.



Leonard E. Smith  
PCT Legal Examiner  
PCT Legal Administration



Erin M. Pender  
Attorney Advisor  
PCT Legal Administration

Telephone: 703-305-0455  
Facsimile: 703-308-6459